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there is a continuing acquiescence therein by the members thereof an act thereunder cannot be questioned by anyone. Moreover under the same presumption its dissolution cannot be sought by anyone not a subscriber to the agreement. The majority of the stockholders have the right to vote according to their own dictates. Should a stockholder with shares deposited under the trust, desire to annul the relation—to revoke the agency as it were—then upon principle the trust would be revocable at the instance of such stockholder and at his instigation alone. The theory is that every stockholder owes a duty to every other stockholder, not to vote his stock a particular way, not even to vote it at all, but to be at all times the master of the voting power of that stock.

**CRIMINAL LAW—SEDUCTION OF UNMARRIED FEMALE—DIVORCEE.**—A statute provided that if any person under promise of marriage shall seduce any unmarried female, such person, upon conviction, shall be punished. The defendant seduced a divorced woman under promise of marriage. *Held*, a divorced woman is an unmarried female within the meaning of the statute. *State v. Wallace* (Ore.), 154 Pac. 430.

It is a fundamental rule that every statute must be construed with reference to the object to be accomplished and the evils to be remedied, giving full effect to the intention of the legislature. *Honduras v. Soto*, 112 N. Y. 310, 19 N. E. 845, 8 Am. St. Rep. 744, 2 L. R. A. 642; *In re Kilby Bank*, 23 Pick. (Mass.) 93; *Ezekiel v. Dixon*, 3 Ga. 146. And though a penal statute should be construed strictly, the construction should not defeat the obvious intention of the legislature. *United States v. Wiltberger*, 5 Wheat. 76; *United States v. Williams*, 159 Fed. 310. A court should not extend a criminal statute to cases out of the letter of the statute, yet it should be applied to every case clearly within the mischief or cause making it, where the words are broad enough to embrace such cases. *United States v. Wiltberger*, *supra*; *United States v. Guiteau*, 1 Mackey 498, 47 Am. Rep. 247; *Huffman v. State*, 29 Ala. 40.

The word unmarried does not necessarily mean without having been married, and no fixed meaning can be assigned to it, but it must be determined according to the circumstances of each case. *Pratt v. Mathew*, 22 Beav. 328; *Clarke v. Colls*, 9 H. L. C. 601; *Jennings v. Commonwealth*, 109 Va. 821, 63 S. E. 1080, 132 Am. St. Rep. 946, 21 L. R. A. (N. S.) 265, 17 Ann. Cas. 64. A widow has been held to be an unmarried woman within the meaning of a statute providing that the will of an unmarried woman shall be deemed revoked by her subsequent marriage. *Re Kaufman*, 131 N. Y. 620, 30 N. E. 242, 15 L. R. A. 292. The same construction was put on a statute providing a pension for an officer's "unmarried sisters." *Mott v. Scanlan*, 19 Cal. App. 250, 125 Pac. 762. A divorced woman was also held to be an unmarried woman within the meaning of a bankruptcy statute. *In re Giles*, 158 Fed. 596. But it has been held that a widow is not an unmarried female within the meaning of a statute giving her parents a right of action for the seduction of an unmarried female. *Kirk v. Long*, 7 U. C. C. P. 363. See also, *Anderson v. Rannie*, 12 U. C. C. P. 536. In the construction of deeds an unmarried woman has been held to mean a woman not under coverture

at the particular time, even though she may have been previously married. *Pratt v. Mathew*, *supra*; *Clarke v. Colls*, *supra*. And a widower is an unmarried man. *Peters v. Balke*, 170 Ill. 304, 48 N. E. 1012.

In the only other case on record, the facts of which are exactly in accord with those of the principal case, the court construed the statute not to include a divorced woman, on the ground that it was not intended for the protection of married women who had known men and were thus in a way rendered immune to the seducer's wiles. *Jennings v. Commonwealth*, *supra*.

**DEATH—ABSENCE FOR SEVEN YEARS—PRESUMPTION OF TIME OF DEATH.**—A person whose life was insured left home and was unheard of for several years, and the premiums on the policy were allowed to go unpaid after the first year of his disappearance. Prior to the expiration of seven years his administrator brought an action to have the policy restored. *Held*, the policy was forfeited by a failure to pay the premiums, as the law presumes death at the expiration of seven years and such presumption is not retroactive. *Murphy v. Metropolitan Life Ins. Co.*, 155 N. Y. Supp. 1062. See NOTES, p. 451.

**EVIDENCE—RAPE—PREVIOUS UNCHASTITY OF PROSECUTRIX TO SHOW PROBABILITY OF CONSENT.**—In a prosecution for rape the defendant offered evidence of acts of intercourse between the prosecutrix and other men for the purpose of showing probability of consent. *Held*, the evidence is admissible. *Lee v. State* (Tenn.), 179 S. W. 145. See NOTES, p. 448.

**EVIDENCE—TRAILING BY BLOODHOUND—ADMISSIBILITY IN CRIMINAL CASES.**—In a prosecution for burglary the state introduced evidence to show that shortly after the crime was committed bloodhounds were placed on the tracks of the supposed burglar, and that the dogs as if following these tracks went to the house of the accused. The evidence was admitted and the court instructed the jury that it could be considered as corroborative circumstantial evidence, if it appeared that the dogs were of pure blood, certain and reliable in the trailing of human beings, and that they were placed upon tracks which circumstances indicated were those of the burglar. *Held*, the evidence was properly admitted. *Aiken v. State* (Ga.), 86 S. E. 1076.

Though the use of bloodhounds in trailing fugitives from justice seems to have been of ancient origin, the first practical use to which they were put in this country was to aid in the capture and arrest of fugitive slaves. In such cases, however, the object sought was the finding of a known individual and if they brought to bay the wrong person that fact could be ascertained with certainty. But the modern use of dogs to furnish evidence to convict some citizen of a crime is a radical departure from the old form, and the competency of such evidence in a criminal case, is a debatable question, depending on the character, training and experience of such animals, and the conditions and circumstances of each case. While the authorities vary somewhat as to the prerequisite preliminary proof, there is a tendency to admit such evidence after a proper foundation for its introduction has been laid.

There must be evidence to connect the accused with the making of